

GREAT BEND CITY COUNCIL MEETING

October 18, 2021

6:30 p.m.

Location – City Hall Council Chambers

The Council meeting will be livestreamed for public to view on our city council Facebook page, <https://www.facebook.com/gbcitycouncil/>.

AGENDA

Members present:

<input type="checkbox"/> Mayor Cody Schmidt	<input type="checkbox"/> Councilmember Cory Urban
<input type="checkbox"/> Councilmember Kevyn Soupiset	<input type="checkbox"/> Councilmember Lindsey Krom-Craven
<input type="checkbox"/> Councilmember Brock McPherson	<input type="checkbox"/> Councilmember Junior Welsch
<input type="checkbox"/> Councilmember Alan Moeder	<input type="checkbox"/> Councilmember Davis Jimenez
<input type="checkbox"/> Councilmember Jolene Biggs	<input type="checkbox"/> Clerk/Finance Director Shawna Schafer
<input type="checkbox"/> Administrator Kendal Francis	<input type="checkbox"/> Attorney Robert Suelter

OPENING: PLEDGE OF ALLEGIANCE

A. CONSENT AGENDA

- a) **Minutes:** Minutes of the Regular Session held on October 4, 2021.
- b) **Claim's Warrant Register 10-18-21:** Covering 2021 bills to date.
- c) **Payroll Register P/R 10-8-21:** Covering payroll ending October 2, 2021, in the amount of \$340,079.95.
- d) **Appointments:** Mayor Schmidt will make appointments as appropriate.
- e) **Street Closure:** Close Odell Street from 19th Street to 21st Street on October 19, 2021, from 3:00 p.m. to 9:00 p.m. for the Western Kansas Marching Band Festival.
- f) **Street Closure:** Close Forest Avenue from Main Street to Williams Street on November 13, 2021, from 9:00 a.m. to 12:30 p.m. for the Sunflower Diversified Inc. 5K Turkey Trot.
- g) **Agenda:** Approval of agenda as submitted or amended.

B. OLD BUSINESS

C. RECOGNITION OF VISITORS AND ANNOUNCEMENTS

The public is free to comment on items not listed on the agenda. Please address comments to the City Council as a body and be mindful of others who may also wish to speak by limiting comments to 3 minutes.

D. NEW BUSINESS

1. **Councilmember Reports:** Councilmembers will report on the boards and commissions that they serve on.

Recommendation: Informational item.

2. **Administrators Update:** City Administrator Kendal Francis will present an update on what is happening within the City organization.

Recommendation: Informational item.

3. **Abatements:** Code Enforcement Art Keffer will present a progress report.

Recommendation: Informational item.

4. **2021 Water Conservation Ordinance:** When applying for the State Revolving Loan it was brought to our attention the current Water Conservation Plan and Ordinance was outdated. It was requested by the state to update the plan and ordinance. I contacted KRWA who graciously assisted with drafting a revision of both items which was then sent to the Division of Water Resources. The ordinance would replace the current ordinance 4044 in Chapter 13.28. Public Works Director Jason Cauley will report.

Recommendation: Motion to approve the Water Conservation Plan and Ordinance Number 4376.

5. **Rezoning:** The City has requested that the real estate on Baker between Eleventh Street and Twelfth Street be rezoned from C-1 (local commercial) to C-3 (central business). The real estate is the proposed location of the new police department. The C-1 zone requires front yard setbacks of 25 feet, rear yard setbacks of 20 feet and side yard setbacks of 10 feet if adjacent to residential property. The proposed building may be constructed to the property line in the front yard. The c-3 zone allows building to the front property line. There are no residential structures adjacent, so the side yard setbacks do not apply. The Planning Commission held a public hearing on this matter and have recommended approval. There were no interested parties attending the meeting on this issue other than City staff. City Attorney Robert Suelter will report.

Recommendation: Motion to adopt the Findings of Fact prepared by City Staff and as recommended by the Planning Commission. Motion to adopt Ordinance Number 4377, rezoning the real estate from C-1 to C-3.

6. **Small Cell Agreement:** Cox Communications has proposed an agreement to allow the placement of Small Cell facilities on city right of ways. State law allows

for these to be placed on ROWs without municipalities having much authority to regulate them. However, Cox does prefer to have agreements in place. The agreement provides for a franchise fee payment of \$150 per year per attachment for the attachment of wireless equipment to support DAS or SWF installations within the City on City owned infrastructure. The city attorney has reviewed the agreement and finds it to be in order. Therefore, staff recommends approving the agreement with Cox Communications. City Administrator Kendal Francis will report.

Recommendation: Motion to approve Ordinance Number 4378, granting a franchise and authorizing Cox Wireless to construct, maintain, and operate in the public right-of-way.

- 7. Temporary Premise Extension:** Dry Lakes Brewery has requested a temporary extension of premise on October 30th to host a Halloween party. The event will include food trucks and Pumpkin Smash fundraiser for the Cystic Fibrosis Foundation. The consumption of alcohol is planned in the proposed space. The brewery is working with the State Alcoholic Beverage Control to obtain proper permits for this activity. In order to allow consumption of alcohol on public property, an ordinance must be passed to exempt the public property from state statute. The ordinance will be drafted and provided at the council meeting once the legal description has been provided by Dry Lakes Brewery. City Administrator Kendal Francis will report.

Recommendation: Motion to approve Ordinance Number 4379, allowing consumption of alcohol on public property. Motion to close the alley from Lakin Avenue to Forest and closure of parking stalls on city-owned parking lot at Lakin and Williams on October 30th from 4:00 p.m. to 12:00 a.m.

- 8. Legal Services:** We recently requested RFQs for the positions of City Attorney & City Prosecutor. Staff is currently reviewing the proposals and interviews are scheduled for October 13th & 14th. Staff will be prepared with a recommendation. City Administrator Kendal Francis will report.

Recommendation: Take appropriate action.

ADJOURNMENT

WORK SESSION AGENDA 10/18/2021

- 1. Bond Process – David Arteberry, Stifel, Nicolaus, & Company Incorporated**